

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

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In re: : Chapter 11

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PRINCETON AVENUE GROUP, INC., : Case No.: 19-19841 (JNP)

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Debtor :
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CERTIFICATION OF COUNSEL IN RESPONSE TO MOTION TO COMPEL

I, Kathryn Hewitt, of full age, do hereby certify as follows:

1. I am an attorney at law, licensed in the state of New Jersey, representing Tzitzifas & Co. in this matter, and as such have personal knowledge of the within facts.
2. I am submitting this Certification in response to the Motion of Arlene Pero and Jill Swersky (the "Creditors") to compel compliance with a subpoena issued to Tzitzifas & Co. (the Motion).
3. The Notice of Service attached to the Motion as Exhibit "C" does not reflect proper service of the Subpoena as required by Fed. R. Bankr. P. 9016 and Fed. R.Civ. P. 45 as Tzitzifas & Co., was not served personally. As a result of this failure of proper service, the Motion is be defective and should be denied.
4. However, if the Motion is mot denied due to improper service, the Motion should be denied because:

a. This is a matter between the debtor, Princeton Avenue Group, Inc. and the creditors filing this Motion. The creditors are trying to end run the process by obtaining documentation relating to the Debtor from Tzitzifas and Co. instead of the Princeton Avenue Group.

b. The movants are causing undue burdens and costs on Tzitzifas and Co. by overreaching to request tax returns which have no relevance or bearing on their claims against the debtor. The claims are based on a promissory note. Any dispute related to the claims should be litigated between the movants and the debtor. This is deliberate harassment of Tzitzifas & Co. and its principal, Konstantinos Tzitzifas.

Therefor this Motion should be denied and the movants should be required to pay legal fees as per Fed. R.Civ. P.45.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: July 30, 2020

/s/Kathryn Hewitt

Kathryn Hewitt, Attorney for Tzitzifas & Co.